

★ JUL 16 2018 ★

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Donald J. Guchard

110 Center Dr.

Riverhead, NY 11901

Plaintiff,

[Insert full name of plaintiff/prisoner]

10 John Does & 10 Jane Does in  
their Individual & Official  
Capacities

-against-

Suffolk County Sheriff Corrections Facility

110 Center Dr.

Riverhead, NY 11901

of a host of 10 other officers

Defendant(s).

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I.]

CIVIL RIGHTS COMPLAINT

42 U.S.C. § 1983

CV18 4083

JURY DEMAND

YES  NO \_\_\_\_\_

SEYBERT, J.  
SHIELDS, M.J.

RECEIVED

JUL 16 2018

EDNY PRO SE OFFICE

- I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Donald J. Guchard

If you are incarcerated, provide the name of the facility and address:

110 Center Drive

Riverhead, NY 11901

Prisoner ID Number: 211050

If you are not incarcerated, provide your current address:

Incarcerated

Telephone Number: \_\_\_\_\_

**B. List all defendants.** You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1

Sargent + Sneswick

Full Name

Sargent

Job Title

Sargent

WIA

Address

Defendant No. 2

WIA

Full Name

John Doe

Job Title

Address

Defendant No. 3

WIA

Full Name

John Doe

Job Title

They all hide their brutality

N/A  
Address

Defendant No. 4

n/a John Doe  
Full Name

Job Title

John Doe  
Address

Defendant No. 5

N/A  
Full Name

Job Title

Address

**II. Statement of Claim:**

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? Yaphank Correctional Facility South 3

When did the events happen? (include approximate time and date) On March 19 approximately 9:00 pm

4 Jane Doe

5 Jane Doe

6 Jane Doe

7 Jane Doe



Facts: (what happened?) On March 19 2018 I was transported, ~~free~~ from Rivershead Correctional Facility to the Yaphank Correctional Facility & was sent to Housing unit South where I was told that my bunk was number 34, I observed it was a top bunk so I returned to Housing office & informed him I'm almost 58 & have medical problems that would cause me to be unable to climb up on top of bunk & limited mobility with right arm. He told me fuck up get up there & I couldn't could I sleep on the floor & the officer stated yes, I placed on matress on the floor & was starting to make bed & two inmate told me to stop that the guard might think they were pushing up on me.  
See attached papers (Facts)

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

My head was smashed into Dally-pot wall my right arm that has limited mobility was forcefully bent past its limit of mobility both thumbs were grasp by guard using two hands & squeezed together causing great pain left wrist still give me problem. When

I was brought to medical nurse asked why did I punch wall. I stated I didn't. Took 3 days to X-ray worn & given crutches until 7 week later.

III. Relief: State what relief you are seeking if you prevail on your complaint.

Medical have been on crutches since & was only supposed to have them for 3 weeks - it's been & no follow up care. Have difficulty raising my head on an upward angle head & vision shake & fear of falling down need spinal operation. Also seek monetary damage, & changes in the way prisoners are handled

I declare under penalty of perjury that on 7/12/2018, I delivered this  
complaint to prison authorities at Yaphank Correctional Facility (date)  
(name of prison) to be mailed to the United States District Court for the Eastern District of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 7/12/2018

Don F. Guevara  
Signature of Plaintiff

Yaphank Correctional Facility  
Name of Prison Facility or Address if not incarcerated

110 Center Dr.

Riverhead, NY 11901

Address

Don F. Guevara  
Prisoner ID#

11.4

Injuries ~

was kicked in left leg behind knee was  
fixed to keep my chin in my chest while  
they lifted me up & occasionally I was in  
the air having my caught & pressure applied  
to my wrist. Was placed in holding cell  
& had head smashed into wall & blow  
to my neck. This was done after I informed  
officers of spine problem.

Continues of 4

# Facts

DUPLICATE  
COPY

injured right arm past its <sup>301772 DRAFTING UNIT</sup> capabilities and I yelled from  
the pain that I am not resisting and that I need two  
hand cuffs. The officer then Said "F\*\*\* You, stop resisting"  
I told him that <sup>10:01 A.M. 8/14/05</sup> Then the white <sup>SERT</sup> officer slammed my  
face into the paxing glass injuring my neck and fore head.  
Then they hand cuffed my left hand. Both officers grabbed  
my thumbs and beat them back to my forearm and lifted  
me off the ground as we walked with both hands making it  
a struggle for me to walk. I yelled in excruciating pain  
since the way that they lifted my body weight using my thumbs  
for leverage and pulling my wrist up towards my shoulder  
blades. This is a banned maneuver by the Geneva conventions  
I was thrown into a cell head first and told to kneel  
on the bench. The white officer then Said "quit resisting" and  
slammed my head on to the wall when he took my <sup>left</sup> cuff  
he put my left arm above my head and Said "quit resisting", I  
stated that I am suffering from paralysis. The same problem  
happened with my right arm but since it was slower they  
pinched me in my lower back kidney area. Then they left.  
When I regained my composure I stated to a Sergeant that  
"I need medical attention" I was brought to medical when  
the doctor asked me to explain why I punched a wall, I  
stated that I had not but that those officers had beat me.  
Then the white <sup>SERT</sup> officer yelled to me to "Shut the f\*\*\* up" on  
several occasions. I asked for to be sent out to the  
hospital for an "MRI" and I was denied and told that I  
could not even get an x-ray till Wednesday and Thursday  
They gave me two ineffective motrin pills. Then I was placed

Facts

BUFRATE  
COPY

SHERIFF'S OFFICE

me causing the dorm to get a "shake down". So I went back to the officer and informed him about how the other inmates felt that the officer will think that they were causing me problems. The officer then ordered me to get in the top bunk, so I ~~sat~~ respectfully told him that I am unable to climb to the top bunk today tomorrow or ever. Please refer to audio-video tape because I was standing right under the cameras. I never raised my voice or cussed ever and I thought me and him had a very good relationship, but he exploded and demanded my property. I had two full plastic bags full of property, and the officer reduced all my belongings to a one-third size. The officer opened a tied bag of toiletries and broke the lid off the Shampoo bottle and mouthwash, poured Shampoo all over my clothes, bedding, legal notes and legal court documents. He threw out my bible and books / novels / magazine. It is a Federal violation to throw someone's bible away. Then I was ordered to go in the Sally port and to put both of my arm up on the wall. After a few moments I was grimacing in pain due to my previous medical issues. Due to the pain I put my right arm down and I glanced at the officer and at no time did I make any hand gestures or any verbal contact <sup>to</sup> with him. Then the Suffolk Emergency Response Team (SERT) officers came in. The black officer stated "Yea, it's you!" and trusted my

# Facts

PRIVATE  
COPY

bedding,

In a holding cell. They removed all "blankets and covers from the cell and told me to sleep on the cold cement. Please see the video. At a later time I was moved to "A-Pod". The Black Sgt officer was being racist by calling me a "piece of white dog Shit" in a threatening manner.

Respectfully

Samuel Jackson 0211050  
110 Center Drive  
Neverhead, NY

1/10/

AM MAR 26 A 0 0 01  
SHERIFF'S OFFICE